

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

IN THE MATTER OF THE COMPLAINT	*	
OF COTTRELL CONTRACTING	*	
CORPORATION AS OWNER <i>PRO HAC</i>	*	IN ADMIRALTY
<i>VICE</i> OF THE DREDGE MARION,	*	
OFFICIAL NUMBER 533857, AND THE	*	
M/V BLACKHAWK, DELAWARE	*	
REGISTRATION NUMBER DL0262B,	*	
FOR EXONERATION FROM OR	*	
LIMITATION OF LIABILITY	*	
	*	CIVIL ACTION NO: 7:16-cv-55-D
Plaintiff-Petitioner.	*	
	*	

**ORDER FOR AD INTERIM SECURITY
IN THE FORM OF A LETTER OF UNDERTAKING**

CAME Cottrell Contracting Corporation (“Cottrell”), as owner *pro hac vice* of the DREDGE MARION (the “MARION”) and the M/V BLACKHAWK (the “BLACKHAWK”), having filed its Amended Complaint for Exoneration from or Limitation of Liability (ECF Doc. No. 6) and its Motion to Authorize Security and Memorandum in Support (ECF Doc. Nos. 9-10) on June 14, 2016; having provided an appraisal of the value of its interest in the MARION and the BLACKHAWK; and it appearing from the Affidavit of Benjamin G. Cottrell, V, President of Cottrell Contracting Corporation, verified on the 2nd day of June, 2016, and filed herewith (ECF Doc. No. 7), that the value of the MARION as of May 22, 2014, as stated in the Amended Complaint and Motion to Approve Security, was not in excess of One Million Five Hundred Thousand Dollars (\$1,500,000.00), and that the value of the BLACKHAWK as of May 22, 2014, as stated in the Amended Complaint and Motion to Approve Security, was not in excess of Seventy Five Thousand Dollars (\$75,000.00); and moved this Court for an Order approving as security a

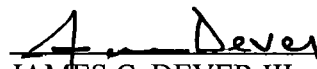
Letter of Undertaking by its insurance underwriters Atlantic Marine Specialty Insurance Company and National Union Fire Insurance Company of Pittsburgh, PA (ECF Doc. No. 10-1);

IT IS ORDERED and the Court approves the Letter of Undertaking by Atlantic Marine Specialty Insurance Company and National Union Fire Insurance Company of Pittsburgh, PA, as security for the interim limitation fund representing the value of Limitation Plaintiff's interest in the DREDGE MARION and the M/V BLACKHAWK in the amount of One Million Five Hundred Seventy Five Thousand Dollars (\$1,575,000.00), with interest from the date of filing, together with costs in the amount of \$1,000.00 for a total principal sum of \$1,576,000.00 in the form attached to Cottrell's Motion; and

IT IS ORDERED that the Letter of Undertaking by Atlantic Marine Specialty Insurance Company and National Union Fire Insurance Company of Pittsburgh, PA, in the amount of \$1,576,000.00 (ECF Doc. 10-1) is deemed filed for purposes of the rules of this Court; and

IT IS FURTHER ORDERED that any party may apply to have the amount of such Undertaking increased or diminished as the case may be on the filing of any report of a Commissioner appointed to appraise the amount of Cottrell's interest in the DREDGE MARION and/or the M/V BLACKHAWK, or on the ultimate determination of the Court on exceptions to the Commissioner's report.

SO ORDERED, this 17 day of June 2016.



JAMES C. DEVER III
Chief United States District Judge

WE ASK FOR THIS:

/s/ John E. Holloway

John E. Holloway, Esq. (NC Bar No. 25892)

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